**AMENDMENT TRANSMITTAL LETTER**Docket No.
SPINE 3.0-455 CIP CONT VIIApplication No.
10/781,303-Conf. #4832Filing Date
February 18, 2004Examiner
N. W. WoodallArt Unit
3733

Applicant(s): Rafail Zubok, Michael W. Dudasik, and Joseph P. Errico

Invention: INSTRUMENTATION AND METHODS FOR USE IN IMPLANTING A CERVICALDISC
REPLACEMENTDEVICE**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	15	- 20 =	0	x 52.00	0.00
Independent Claims	3	- 3 =	0	x 220.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

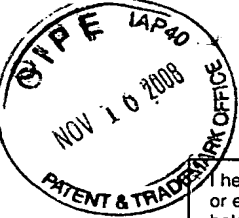
☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Kevin M. Kocun
Attorney/Agent Reg. No.: 54,230Dated: November 6, 2008LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6383

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 6, 2008

Signature: 

(Kevin M. Kocun)



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Dated: November 6, 2008

Signature:

(Kevin M. Kocun)

Docket No.: SPINE 3.0-455 CIP CONT VII
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,303

Filed: February 18, 2004

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICALDISC
REPLACEMENTDEVICE

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: Group Art Unit: 3733
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: Examiner: N. W. Woodall
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MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Official Action mailed May 12, 2008, Applicants submit the following amendments and remarks.